

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

John Van Stry,

Plaintiff,

V.

Travis Robert McCrea and Francisco Humberto Dias doing business as “Frantech Solutions,”

Defendants.

Case No. 2:19-cv-00104-WCB

Jury

NOTICE OF DISMISSAL OF DEFENDANT
FRANCISCO HUMBERTO DIAS DOING BUSINESS
AS FRANTECH SOLUTIONS WITHOUT PREJUDICE

Pursuant to FED. R. CIV. P. 41(a)(1)(A)(i), Plaintiff, Mr. John Van Stry, hereby files this notice of dismissal without prejudice for Defendant Mr. Francisco Humberto Dias (“Mr. Dias”) doing business as “Frantech Solutions.”

Mr. Dias has not been served with the Complaint in this action. Mr. Dias has neither answered nor moved for summary judgment. This case is not a class action under Rule 23, a derivative action under Rule 23.1, or an action related to an unincorporated association under Rule 23.2. A receiver has not been appointed in this case.

While this case appears not to be governed by any statute or rule that requires a court order for dismissal of the case, Plaintiff, nevertheless, is contemporaneously submitting a proposed order for dismissal.

Dated: June 13, 2019

Respectfully submitted,

s/ Joshua Wyde

Joshua S. Wyde

Tex. State Bar No. 24060858

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Attorneys for Plaintiff John Van Stry

CERTIFICATE OF SERVICE

I certify that on June 13, 2019, I served the foregoing “NOTICE OF DISMISSAL OF DEFENDANT FRANCISCO HUMBERTO DIAS DOING BUSINESS AS FRANTECH SOLUTIONS WITHOUT PREJUDICE” on Defendant Mr. Travis Robert McCrea at the email address teamcoltra@gmail.com, per agreement to electronic service. I served Defendant Francisco Humberto Dias via U.S. First Class International Mail at 3635 Craigmillar Ave., Victoria, British Columbia, V8P 3H2, Canada.

Dated: June 13, 2019 s/ Joshua S. Wyde

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Jury

ORDER RE NOTICE OF DISMISSAL OF
DEFENDANT FRANCISCO HUMBERTO DIAS
DOING BUSINESS AS FRANTECH SOLUTIONS
WITHOUT PREJUDICE

Having considered Plaintiff’s Notice of Dismissal, the Court
HEREBY DISMISSES WITHOUT PREJUDICE Defendant Francisco
Humberto Dias (“Mr. Dias”) doing business as “Frantech Solutions” with
respect to all claims and causes of action in this litigation asserted against
Mr. Dias. Each party is to bear its own cost.

IT IS SO ORDERED.